



State of Tennessee  
Department of State  
**Tennessee State Library and Archives**  
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Nashville, Tennessee 37243-0312

**TENNESSEE STATE RACING COMMISSION  
DEPARTMENT OF COMMERCE & INSURANCE  
RECORDS**

**1987-1998**

**RECORD GROUP 303**

*Processed by:*

Greg Yates  
Archival Technical Services

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**MICROFILM ONLY**

## **INTRODUCTION**

Record Group 303, Tennessee State Racing Commission, consists of records relating to the operations of the State Racing Commission from 1988-1998. The main purpose of the Racing Commission was to grant a license for a horse racing track in Tennessee.

## **AGENCY HISTORY**

- 1987 Racing Commission created by Public Chapter 311.
- 1988 Agency Receives first application for a license from Mid-South Indoor Horse Racing.
- 1989 Lawsuit filed by Mid-South against agency for denial of license.
- 1990 Lawsuit resolved, in favor of Racing Commission.
- 1992 Agency receives second application for a license from Tennessee Downs.
- 1993 Agency receives third application for a license from Plantation Downs.
- 1997 Agency receives an amended application for a license from Tennessee Downs.
- 1998 June 30, Agency is allowed to sunset (expire).

## **SCOPE AND CONTENT NOTE**

This collection consist of applications, correspondence, legislation, minutes, reports, audiocassettes of Commission meetings, and videocassettes filed as part of the lawsuit against the Commission, for the period 1988-1998. The bulk of the collection consists of applications for a license to conduct horse racing in Memphis, Tennessee, submitted by three different companies between 1988 and 1997. Memphis, Shelby County, was the only area to approve horse racing by referendum in 1987.

The intent and policy of the General Assembly as quoted from the Tennessee Code Annotated 4-36-102, was to “encourage legitimate occupations, and legitimate sporting events with pari-mutuel wagering in this state in a manner consistent with the health, safety, and welfare of the people”. To carry out this intent, the Tennessee Racing Commission was created by Public Chapter 311 of the Acts of 1987, which was “vested with plenary power to control and regulate racing in Tennessee, with full recognition that racing is a privilege and not a right”. Further, the Racing Commission was set up to “maintain racing events with the appearance and the fact of complete honesty and the highest integrity”. The Commission consisted of seven members, with five appointed by the Governor, and a requirement for one each from law enforcement and persons over the age of 60. Other requirements for commission members were to be a resident of Tennessee for at least five years and to be over the age of thirty. Additionally, the Commission was granted authority to appoint an Executive Secretary and such other staff as needed. With no licenses being approved, the General Assembly allowed the agency to sunset (expire) on June 30, 1998, which was its scheduled ending date without Legislation to continue it.

The collection focuses on the applications that were made to get a license to conduct horse races in Memphis from Mid-South Indoor Horse Racing, Plantation Downs, and Tennessee Downs. The application process was very involved, including a large amount of information required about each company and a complete background check by the Tennessee Bureau of Investigation. After each application was received by the commission, additional information was requested regarding the proposed operations of each company applying for a license. The first application was received from Mid-South Indoor Horse Racing in 1988 and was ultimately denied. Mid-South appealed this denial and the case went all of the way to the Tennessee Supreme Court, which sided with the Racing Commission in 1990 on the denial of a license. The Plantation Downs application never got past the initial application stage and was never pursued by the proposing company. The Tennessee Downs application, proposed by Penn National, was the closest to being approved, but as of 1998, had still not passed all of the background checks and financial checks, so this application automatically ended when the agency was allowed to sunset.

The application by Mid-South Indoor Horse Racing included a concept called “Superjock”, which were remote controlled jockeys on top of Hackney Ponies. Several videocassettes are included in this collection that demonstrates the proposal.

When processing this collection, original order was maintained in almost all instances except for one. In the collection, there were two large notebooks that contained mostly correspondence that appeared to have been put together by the Executive Secretary of the Commission, Art Giles. In reviewing these notebooks while processing the collection, it was decided to take the materials out of the notebooks and integrate them with the remainder of the collection for ease of research. Boxes one through nine contain the paper records for this collection, which will only be available on microfilm, while boxes ten through thirteen contain the audio/video materials from this collection and will be retained in the TSLA storage vault.

## CONTAINER LIST

### **MICROFILM ROLL #1**

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#### **Box 1**

1. Application #1, Mid-South Indoor Horse Racing, 1988
2. Application #2, Mid-South Indoor Horse Racing, 1988
3. Application Correspondence, Mid-South Indoor Horse Racing, 1989
4. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 1, 7/21/1989
5. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 2, 7/21/1989
6. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 3, 7/21/1989
7. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 4, 7/21/1989

#### **Box 2**

1. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 5, 7/21/1989

### **MICROFILM ROLL #2**

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2. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 6, 7/21/1989
3. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 7, 7/21/1989
4. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 8, 7/21/1989
5. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 9, 7/21/1989
6. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Administrative Record Volume 10, 7/21/1989
7. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Brief of State Racing Commission, March, 1990
8. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Court of Appeals Opinion, 8/17/1990
9. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Defendant's Motion to Dismiss, September, 1989
10. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Judgment, 10/19/1989
11. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Motion to Dismiss, 1989
12. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Notice of Appeal, 1989

13. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Notice of Filing Documents, July, 1989
14. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Pamphlet per Tenn. R. App. P 27 (e), 3/27/1990
15. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Petition for Judicial Review, May, 1989
16. Lawsuit, Mid-South Indoor Horse Racing vs. State Racing Commission, Transcript of Proceedings, 10/6/1989

**Box 3**

1. Minutes, Application Hearing, Mid South Indoor Horse Racing, 1/24/1989
2. Minutes, Application Hearing, Mid-South Indoor Horse Racing, 2/10/1989
3. Petition for Commencement of a Contested Case Hearing Under the Tennessee Administrative Procedures Act for Mid-South Indoor Horse Racing, 4/12/1989
4. Petition of Mid-South Indoor Horse Racing for Reconsideration of its Application to Conduct Race Meetings, 3/23/1989

**Box 4**

**MICROFILM ROLL #3**

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1. Application, Plantation Downs, August, 1993
2. Application, A Proposal to Provide Professional Services, 1994
3. Application Correspondence, Plantation Downs, 1993-1994

**Box 5**

1. Application and Appendix 1-25, Tennessee Downs, 1992
2. Application, Appendix 26-69, Tennessee Downs, 1992
3. Application, Appendix 69-88, Tennessee Downs, 1992
4. Application, Tennessee Downs, 1997
5. Application Supplement, Tennessee Downs, 1998
6. Articles of Incorporation, Penn National and PNRC Corporation, 1982-1994

**Box 6**

**MICROFILM ROLL #4**

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1. Blue Prints/Site Plans, Tennessee Downs
2. Correspondence, Tennessee Downs Application, 1990-1993
3. Correspondence, Tennessee Downs Application, 1994-1998
4. Lawsuit, Tennessee Downs vs. William L. Gibbons, 1998-1999
5. Minutes, Tennessee Downs Application Hearing, 4/3/1998
6. Minutes, Tennessee Downs Application Hearing, 5/29/1998

**Box 7****MICROFILM ROLL #5**

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1. Correspondence, Capital District Regional Off-Track Betting Corporation, 1997-1998
2. Correspondence, R. Anthony Chamberlin, Consultant, 1995-1998
3. Correspondence, Department of Agriculture, 1991
4. Correspondence, Attorney General, 1983-1998
5. Correspondence, Art Giles, Executive Secretary, 1989-1997
6. Correspondence, Art Giles, Executive Secretary, 1998
7. Correspondence, Sam Harrison, 1993
8. Correspondence, Tennessee Bureau of Investigation, 1993-1994
9. Correspondence, In Favor of Track, 1997
10. Correspondence, Opposed to Track, 1997

**Box 8**

1. Criminal Information, W.D. "Donnie" Walker, 1987
2. Lawsuit, Daniel Cole, John Cole, Holly Ex. Inc., and Tennessee Downs vs. S. Richard Bauman, Eleise R. Bauman, Donald A. Friedman, Joyce E. Friedman, and Jerome E. Willis, 1992
3. Lawsuit, Fred Boswell vs. Tennessee Solid Waste Control Board, 1983
4. Lawsuit, Delta Dental Plan and Blue Cross/Blue Shield vs. The Dental Practice of Tennessee and Commissioner Elaine McReynolds, 1988
5. Legislation, HB 1068, 1987
6. Legislation, HB 102/SB 524, 1989
7. Legislation, HB 2104/SB 2262, 1990
8. Legislation, HJR 14, 1991
9. Legislation, HB 2501/SB 2498, 1992
10. Legislation, SB 1863, 1992
11. Legislation, HB 238/SB 279, 1993
12. Legislation, HB 2766/SB 2120, 1994
13. Legislation, HB 2628, 1994
14. Legislation, HB 1625/SB 927, 1996
15. Legislation, HB 185/SB 88, 1997
16. Legislation, SB 2869, 1998
17. Legislation, SB 2841, 1998

**Box 9****MICROFILM ROLL #6**

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1. Minutes, Commission Meetings, October, 1987 – February, 1988
2. Minutes, Commission Meetings, April – July, 1988
3. Minutes, Commission Meetings, August – December, 1988
4. Minutes, Commission Meetings, March – October, 1989
5. Minutes. Commission Meetings, June, 1990 – January, 1996



6. Minutes, Commission Meetings, January – November, 1997
7. Minutes, Commission Meetings, February – May, 1998
8. Newspaper Clippings, Memphis Meadows Proposal, 1993
9. Photographs, Meadowlands, New Jersey
10. Press Release – Memphis Meadows, 1993
11. Reports, Annual Report, Racing Commission, 1988-1996
12. Report, Economic Dutch Consultants, Financial/Background Check, 1993
13. Report, Establishing New Racetracks in New Markets, 6/15/1989
14. Report, Harness Racing in Tennessee, 8/19/1988
15. Report, Marketing: What the Other Guy is Doing, 1989
16. Report, New racetracks, OTB, Greyhound Racing, Casino Gaming and other Forms of Commercial Gambling Recent Articles, 1988
17. Report, Pari-Mutual Racing, A Statistical Summary, Prepared by Association of Racing Commissioners International, Inc., 1996
18. Report, racing Commission Development Fund, 1992-1997
19. Report, Report of the Special Task Force on Horse and Dog Racing, January, 1984
20. Report, Summary of Pari-Mutual Taxation in the United States and Canada, May, 1991
21. Report, Summary of Pari-Mutual Taxation in the United States and Canada, April, 1992
22. Report, Tabulation of Votes Recorded in the City of Memphis Municipal Election, 10/8/1987
23. Report, Tennessee Bureau of Investigation Recommended Background Investigation to be Conducted for the Racing Commission
24. Report, Thoroughbred Horse Industry in Tennessee, From Tennessee Historical Quarterly, 1987
25. Rules of Racing Commission
26. Rules of Racing Commission, Amendments, 1997

## **Box 10**

### **Audiocassettes**

1. Commission Meeting, 2/18/1988, 4 Tapes
2. Commission Meeting, 3/17/1988, 4 Tapes
3. Commission Meeting, Conference Call, Mid-South Petition #1, 4/15/1988, 2 Tapes
4. Commission Meeting, Rule Making, 5/9/1988, 7 Tapes
5. Commission Meeting, 5/10/1988, 5 Tapes
6. Commission Meeting, Conference Call, Mid-South Petition #2, 6/17/1988, 2 Tapes
7. Commission Meeting, Rule Making, 7/12/1988, 10 Tapes

**Box 11****Audiocassettes**

1. Commission Meeting, 8/1/1988, 5 Tapes
2. Commission Meeting, 8/19/1988, 6 Tapes
3. Commission Meeting, 9/13/1988, 6 Tapes
4. Commission Meeting, Conference Call, 10/6/1988, 2 Tapes
5. Commission Meeting, 10/19/1988, 5 Tapes
6. Commission Meeting, Conference Call, 12/19/1988, 2 Tapes
7. Commission Meeting, Public Hearing, 1/24/1989, 7 Tapes
8. FBI Press Conference, W.D. 'Donnie' Walker, 1/26/1989, 1 Tape

**Box 12****Audiocassettes**

1. Commission Meeting, 2/10/1989, 4 Tapes
2. Commission Meeting, Conference Call, 3/13/1989, 1 Tape
3. Commission Meeting, 3/31/1989, 2 Tapes
4. Commission Meeting, Conference Call, 5/15/1989, 1 Tape
5. Commission Meeting, Conference Call, 6/23/1989, 1 Tape
6. Commission Meeting, Conference Call, 8/14/1989, 2 Tapes
7. Department of Agriculture Rule Making Hearing, 9/6/1989, 2 Tapes
8. Commission Meeting, Rule Making, 10/23/1989, 3 Tapes
9. Commission Meeting, Conference Call, 6/12/1990, 1 Tape
10. Commission Meeting, 10/24/1990, 2 Tapes
11. Commission Meeting, Conference Call, 6/25/1991, 1 Tape
12. Commission Meeting, Conference Call, 10/23/1991, 1 Tape
13. Commission Meeting, 12/7/1991, 1 Tape
14. Commission Meeting, Ad Hoc Committee, 12/7/1991, 3 Tapes
15. Commission Meeting, Conference Call, 1/29/1992, 2 Tapes
16. Commission Meeting, Conference Call, 10/5/1992, 1 Tape
17. Commission Meeting, Conference Call, 8/31/1993, 1 Tape
18. Commission Meeting, Conference Call, 11/5/1993, 1 Tape
19. Commission Meeting, 10/12/1994, 4 Tapes

**Box 13****Audiocassettes**

1. Commission Meeting, 10/12/1994 Cont., 2 Tapes
2. Commission Meeting, Conference Call, 1/24/1995, 1 Tape
3. Commission Meeting, Conference Call, 1/4/1996, 1 Tape
4. Commission Meeting, Conference Call, 1/16/1997, 1 Tape
5. Commission Meeting, Conference Call, 9/24/1997, 1 Tape
6. Commission Meeting, 11/15/1997, 1 Tape
7. Commission Meeting, Public Hearing, Penn. National, 11/15/1997, 3 Tapes
8. Commission Meeting, 2/5/1998, 2 Tapes
9. Commission Meeting, 4/3/1998, 2 Tapes
10. Commission Meeting, Conference Call, 5/29/1998, 2 Tapes

**Box 14****Videocassettes**

1. "Superjock" Presentation, 17 Minutes
2. "Superjock" Demonstration Races, 1-12, 8/26/1988
3. "Superjock" Demonstration Races. 13-27, 8/27/1988
4. "Superjock" Demonstration Races, 28-40, 8/28/1988
5. "Superjock" Demonstration Races, 41-51, 8/29/1988
6. "Superjock" Demonstration Races, 52-100, 12/6-10/1988
7. WHBQ-TV, Memphis, Interview on "Superjock" with Charles McVean by Esme Murphy, April, 1988, 26 Minutes